

MONTANA
Department of Public Health
and Human Services

Section:
REFUGEE RESETTLEMENT
PROGRAMS

Subject:
Refugee Cash Assistance

Supersedes: FAIM 1001-1 (07/01/05) (Most of section is “new” so arrows have not been included to note changes.)

References: 45 CFR 400.60; .65-.77; .81-.83; ARM 37.74.101, .102

GENERAL RULE-- The Refugee Cash Assistance (RCA) Program is a publicly administered cash assistance program available statewide for up to eight months to needy individuals who meet the status of “refugee” as defined in section TANF 1000. The program is administered with 100% federal funds without regard to race, religion, nationality, sex or political opinion.

MEDICAL ASSISTANCE Recipients of Refugee Cash Assistance (RCA) are eligible for Refugee Medical Assistance (RMA) or Medicaid. Refer to **Section 301-4** in the Family Related Medicaid manual. (Reminder: **RMA is not a Medicaid program and eligibility is not limited to households with children.**)

TIME LIMIT RCA benefits are time limited for all refugee populations. See below

- Refugees or SIV Iraqis- Eight months from date of entry into the United States.
- Asylees - Eight months from the date they were granted asylum in the United States.
- Special Immigrant Visa (SIV) holders from Afghanistan- Six months from date of entry into the United States.

At the end of this period, eligibility ends and the household must be automatically evaluated for TANF eligibility. A new application cannot be required. The RCA closure notice due to time limit must also indicate if the household is eligible for TANF. Generally RCA households are not eligible for TANF due to not having children in the home. (Until specific TEAMS notices can be created, central office will send text for X013 notices.)

RIGHTS AND RESPONSIBILITIES Rights and responsibilities mirror that of the TANF program (TANF 103-3).

Change reporting: Participants of are required to report changes in their circumstances as soon as possible but within ten (10) days of their knowledge of the change.

Fair-hearing: The same process is used for RCA fair hearings as is used for TANF fair hearings. This includes the right to receive continued benefits pending a fair hearing as long as the time limit of eight months is not exceeded.

See TANF 1509-1 for Good Cause; TANF 1506-3 for Fair Hearing Procedure.

BASIC ELIGIBILITY

The RCA Program provides cash payments to single adults, childless couples or family units who meet all of the following:

1. ineligible for SSI, TANF or other federally funded cash assistance programs;
2. within the **resource** limitation and **income** standards of TANF Cash Assistance (Sections TANF 001 and TANF 401-1) --
 - unearned income exempt from consideration includes foreign held resources and in-kind or direct cash provided by sponsors, the Department of Justice or the Department of State Reception and Placement programs.
 - Any resources remaining in the applicant's country of origin cannot be considered in determining income eligibility.
 - A sponsor's income and resources cannot be considered accessible to the refugee solely because the person is serving as a sponsor. (see definition of Sponsor in TANF 1000-1)
3. immigration status and identification requirements in Section **TANF 1000** or are the dependent children or part of the same family unit as individuals who meet the requirements have been verified. (see section 1000-1 for definition of family unit),
4. name of the resettlement agency which resettled them has been provided;

Exception: Not required for SIV Refugees unless they were placed by a resettlement agency.

5. not full-time students in institutions of higher education unless their full time student status is approved by the WoRC case manager as part of the individual employability plan.
6. if employable, the refugee has not, without good cause, terminated employment or refused to accept employment within 30 calendar days prior to application for assistance.

Section: REFUGEE RESETTLEMENT
PROGRAMS

Subject: Refugee Cash Assistance

**LOCAL
RESETTLEMENT
AGENCY**

Montana does not have a local resettlement agency but will cooperate with agreements in place with affiliates of World Relief in Spokane and Lutheran Immigrant and Refugee Services in Denver for initial placement in Montana of family reunification cases. However, the majority of refugees entering Montana in the coming year are expected to be secondary migrants from other states. Therefore, each Office of Public Assistance must immediately e-mail the State Refugee Coordinator, Carol Carpenter, so she can notify the initial resettlement agency that the individual has applied for assistance from another State's publicly administered refugee program. Ms. Carpenter will also confirm effective date of closure for refugee benefits issued in the other State, if applicable.

**NON-APPLICABLE
TANF REQUIREMENTS**

The following are differences between the TANF and RCA programs.

MINOR CHILD: RCA Applicants/participants are not required to have minor children in the home.

AGED OR DISABLED: RCA refugees age 65 or older or who are blind or disabled must be promptly referred to the Social Security Administration to apply for cash assistance under the SSI program. If otherwise eligible for Refugee Cash Assistance, such assistance must be provided until an SSI determination is made or until the RCA time limit has expired, whichever occurs first.

WORK REQUIREMENTS: TANF work requirements may not apply to RCA applicants or recipients. However, RCA clients must comply with the Refugee Employment and Training (RET) requirements. **See section TANF 1005.1 and information later in this manual section.** Also benefits are NOT prorated from the date of enrollment in the RET program.

PRORATION: RCA benefits are prorated from date of application not date of enrolment with RET.

**GRANT
DETERMINATION**

Although the TANF requirement to have children in the home does not apply to RCA, eligibility is determined for RCA using many of the same program policy and procedures as TANF, including applicable income disregards.

The case cannot be worked on TEAMS. Use the following as a guide to manually determine eligibility and benefit payment.

1. Determine the individual(s) are not eligible for TANF cash assistance or SSI (TANF denial must case noted on TEAMS);

Section: REFUGEE RESETTLEMENT
PROGRAMS

Subject: Refugee Cash Assistance

2. Verify immigration status; note date of entry for refugees and Date Asylum was granted for an Asylee, set an ALERT to terminate assistance at the end of the allowed time limit. (see page one in this manual section.);
3. Obtain the name of the resettlement agency, which assisted the refugee(s) enter the United States;

Exception: SIV refugees from Iraq or Afghanistan who did not utilized a resettlement agency.
4. Notify MT Refugee Coordinator via E-mail that a "refugee" has applied and if appropriate request confirmation of RCA closure in previous State;
5. Verify the individual(s) is not a full-time student in an institution of higher education or that the program qualifies under the RET (Refugee Employment and Training) program;
6. Evaluate the individual(s)' resources using TANF guidelines (Sections 401-1, 402-1, 403-1, 404-1, and 405-1);
7. Evaluate the individual(s)' income (TANF Sections 501-1, 501-2, 502-1, 502-2, 503-1, and 504-1) and manually calculate the payment amount using Form DPHHS-FA-318, "Refugee Cash Assistance Budget Computation Worksheet"; and

NOTE: RCA will be prorated from the date of application.

8. Authorize the warrant to the participant by requesting (via Outlook) Susan Meyer, Fiscal Bureau, and Central Office to process a transfer warrant claim for Refugee Cash Assistance listing the following information:
 - a. Client name (payee), USCIS card (I-151 or I-551 or I-94) identification number, address, and county name and number;
 - b. A statement identifying the payment as Refugee Cash Assistance; and
 - c. The name of the person authorizing the payment.

NOTE: Fiscal Bureau will process and issue the warrant the next working day. Allowing two days for mailing, the participant should receive the payment within three

Section: REFUGEE RESETTLEMENT
PROGRAMS

Subject: Refugee Cash Assistance

working days from the date of the request. Please ask the refugee to let you know when the payment is received and enter a TEAMS case note documenting receipt. **If not received within five days, send an e-mail to Susan Meyer requesting action.**

It is very important to enter specific TEAMS Case Notes indicating the steps taken to determine eligibility and benefit payment. The case note must document the date the check was requested and received by the refugee.

**REFUGEE
EMPLOYMENT
AND TRAINING
(RET) REFERRAL**

All RCA participants age 16 and older **must be referred** to the Refugee Employment and Training (RET) provider.

Refugee Employment and Training (RET) Program is an intensive management program with strong emphasis in work preparation with the goal of continued advancement in employment and economic self-sufficiency. See section 1005-1 for list of required activities and responsibilities

Inability to communicate in English does not exempt a refugee from registration for employment services, participation in employability service programs, carrying out job search, or acceptance of appropriate offers of employment.

However, the following individuals cannot be sanctioned or closed for failure to comply due to not being considered a mandatory RET participant

1. Under age 18 and a full-time high school student or in the equivalent level of vocational or technical training expected to be completed before reaching age 19;
2. Incapacitated, ill, injured or pregnant and thus unable to participate either temporarily or permanently in employment or training. A physician or designee must verify this information and the refugee must be participating at the level allowed by the medical verification (accommodations must be documented in TEAMS case notes);
3. 65 years of age or older;
4. Caring for another member of the household which requires, as determined by a physician or designee, care in the home of a substantially continuous basis and no other family member of the household is available to provide such care; or
5. Working at least 25 hours a week in unsubsidized employment

Section: REFUGEE RESETTLEMENT PROGRAMS	Subject: Refugee Cash Assistance
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expected to last a minimum of 30 days.

NOTE: This exemption continues to apply if there is a temporary break in full-time employment expected to last no longer than 10 days in a 14 day period.

All exempt populations should be strongly encouraged to volunteer in at least the job search functions of the RET program as it will increase our outcomes if they accept or maintain even part-time employment. In addition, upgrading their employment status, increased hours or increased wages also increases MT's outcomes for federal reporting.

FAILURE TO COMPLY

MANDATORY PARTICIPANT: If the individual is a mandatory participant receiving RCA and fails or refuses, without good cause, to meet the employment requirements or has voluntarily quit a job, assistance for the individual terminates. The refugee employment provider will immediately notify the county office of the participant's failure to comply so a **sanction** can be imposed.

VOLUNTARY PARTICIPANT: If the individual is a voluntary participant and fails or refuses to participate, the RET case manager should evaluate possible barriers to participation and encourage the refugee to continue reporting employment status to the RET office on a regular. The individual's cash assistance is not affected. All actions must be documented in TEAMS case notes.

SANCTION

A sanction can be imposed on eligible RCA participants who are mandatory participants to RET if they:

- Fail, without good cause, to comply with either the written employability plan listing 25 hours per week of activities or RET requirements listed in section TANF 1005-1 or
- quit or refuse employment without good cause.

NOTE: RET requirements include enrollment. Therefore, if the mandatory RCA participant does not enroll within 30 days of referral, a sanction is imposed. (10 day notice must be given for the adverse action so household could get two months of RCA for a refugee who never appeared for enrollment.

OPA must take action timely upon receiving notice from RET that non compliance has occurred as follows:

1. If the assistance unit includes other individuals, the non-complying individual's needs are not included in the payment.

Section: REFUGEE RESETTLEMENT
PROGRAMS

Subject: Refugee Cash Assistance

NOTE: An RCA refugee DQed due to RET non-compliance will not need to sign an EP for the rest of the family to get RCA.

2. If such individual is the only individual in the assistance unit, the grant is terminated.
3. If applicable, also notify the refugee's sponsor or resettlement agency or MT Refugee Coordinator of the action taken.
4. If the refugee accepts employment or training within the thirty (30) day period after refusal, continue assistance without interruption.
5. Sanction period is:
 - a) Three (3) payment months for the first occurrence, and
 - b) Six (6) payment months for any subsequent occurrences. (RCA will likely close before the end of the second sanction due to time limited benefits.)

Example:

A childless refugee couple enters the county in October and is approved for RCA. An alert is set to close the case the end of May. Both obtain part-time employment of 5 hours a week and income does not exceed TANF benefit standard. One refugee refuses to accept a second offer of employment without good cause and is sanctioned for Dec.-Feb. His income and resources are still counted in determining the grant amount but the household size for benefit standard and grant amount is reduced to 1 instead of 2. In March the grant increases to a household size of 2 and is issued. However the same refugee refuses to cooperate with RET and the second sanction is imposed. April and May the grant is determined for a HH of 1 using all income and resources of the couple. The RCA benefits are closed the end of May due to time limits.

GOOD CAUSE

Good cause for non-cooperation with the RCA employment and training program (RET) is the same as good cause for non-compliance with the TANF employment and training program (WoRC) **See TANF 1509-1.**

ADVERSE ACTION

In cases of proposed action to terminate or reduce assistance, timely and

Section: REFUGEE RESETTLEMENT
PROGRAMS

Subject: Refugee Cash Assistance

NOTICE

adequate notice is required, following the same procedure as used for TANF. (Until specific notices can be created, MT Refugee Coordinator will send the OPA text for X013 notices.)

When the issue is the date of entry into the United States of an applicant for or recipient of assistance or services, the case manager must provide for prompt resolution of the issue by inspection of the individual's documentation issued by the United States Citizenship and Immigration Services (USCIS) or by information obtained from USCIS, rather than by the fair hearing process.

GRANT CORRECTION

Proper grant issuance is vital to the integrity of Montana's refugee cash assistance program. Policy to determine over and underissuance amounts will be the same as used in TANF. **Supplements** will be issued in the same method as RCA payments.

Overpayments: Overpayment policy for RCA is the same as TANF (see TANF 1504-1)

- Administrative error, other than issuing past the 6-8 month time limit, repayment is not requested.
- Client error or OPA incorrectly issued RCA benefits in excess of the time limit, repayment must be requested. Since RCA is not issued on TEAMS, central office will need to be contacted to assist with the repayment process. CwC ΦΦΦ